



FOREST SERVICE MANUAL NATIONAL HEADQUARTERS (WO) WASHINGTON, DC

FSM 3300 - FORESTRY INCENTIVES

CHAPTER 3310 - COST-SHARING

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Approved: DENNIS TRUESDALE
Acting Deputy Chief for
State and Private Forestry

Date Approved: 04/07/2003

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New Document	id_3310-2003-1	5 Pages
Superseded Document(s) (Interim Directive Number and Effective Date)	None	

Digest:

A notice of the adoption and request for public comment for an interim rule implementing the Forest Land Enhancement Program (FLEP) at Title 36, Code of Federal Regulations, Part 230, Subpart C, was published in the Federal Register on June 9, 2003 (68 FR 34309). A notice of issuance of this interim directive, which provides further direction regarding the administration of FLEP by the Forest Service, was also published in the Federal Register on the same day (68 FR 34374).

3314 - 3314.2 - Establishes new codes and captions and sets out the authorities, roles and responsibilities, definitions, national allocation factors, and national priorities for FLEP.

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3314 - FOREST LAND ENHANCEMENT PROGRAM (FLEP)

3314.01 - Authority

1. Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171). Amends the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101 *et seq.*) to establish a coordinated and cooperative Federal, State, and local sustainable forestry program under the Forest Land Enhancement Program (FLEP) for the management, maintenance, enhancement, and restoration of forests on nonindustrial private lands. A copy of Public Law 107-171 and other information about FLEP can be found on the FSWeb/Intranet and the World Wide Web/Internet at <http://www.fs.fed.us/spf/coop/flep.htm>.

- a. Title 36 of the Code of Federal Regulations, Part 230, Subpart C (36 CFR part 230, subpart C). Sets out regulations governing the implementation and administration of FLEP.

3314.04 - Responsibility

3314.04a - Chief

The Chief's responsibilities regarding FLEP are set out at 36 CFR 230.32. The Chief shall annually distribute such funds as may be available for FLEP to the Responsible Official(s) (FSM 3314.04b) for each of the three geographic fund distribution areas (FSM 3314.05). The Chief has final authority to resolve all issues that may arise in the administration of FLEP.

3314.04b - Responsible Officials

1. Director. Cooperative Forestry, Washington Office (or Cooperative Forestry Staff).
 - a. Develop and implement FLEP in partnership with State forestry agencies and in consultation with other Federal, State, and local natural resource management agencies, institutions of higher learning, and a broad range of private sector interests.
 - b. In collaboration with State Foresters, the Director shall oversee developing and implementing FLEP policy and procedure, including the allocation of funds and development of national allocation factors. This shall include monitoring of program results over the life of FLEP to ensure that environmental, economic, and social values and public benefits are derived from the program.
2. Responsible Official. Forest Service Regional Foresters, Area and Institute Directors are the officials responsible for the duties set out at 36 CFR 230.33.

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3314.05 - Definitions

Geographic fund distribution areas. The Northeast, South, and Western areas identified for the distribution of Forest Land Enhancement Program (FLEP) funds by the Forest Service. The Northeast distribution includes the Forest Service State and Private Forestry Northeastern Area, which comprises the 20 States in Forest Service Region 9. The Southern distribution area includes the 13 States in Forest Service Region 8, and the Forest Service International Institute for Tropical Forestry located in Puerto Rico, and the U.S. Virgin Islands. The Western distribution area includes the 17 States in Forest Service Regions 1, 2, 3, 4, 5, 6, and 10; and the Territories of Guam, and American Samoa; and the Commonwealth of the Northern Mariana Islands.

3314.06 - Role of State Foresters

The State Foresters have a key role in administering the Forest Land Enhancement Program. See 36 CFR 230.34 for specific roles and responsibilities of the State Foresters.

3314.1 - National Allocation Factors

1. For fiscal year 2003, approximately five percent of the total funds shall be used for Forest Service administrative purposes in the Washington Office and each Regional, Area and Institute office. For FY 2003, the remaining funds, (available funds) will be distributed as discussed below.

2. The Director of Cooperative Forestry, Washington Office, shall develop an allocation of funds for the Forest Land Enhancement Program (FLEP) for each of three geographic fund distribution areas (FSM 3314.05) in direct proportion to the following national allocation criteria:

- a. The number of acres of nonindustrial private forest land (NIPF) and ten percent of the acres of highly erodible agriculture land in each State, Territory, and Commonwealth participating in FLEP will receive 40 percent of the available funds.
 - b. Number of NIPF landowners who own one acre or more and 10 percent of the owners of agricultural land in each State, Territory, and Commonwealth participating in FLEP will receive 40 percent of the available funds.
 - c. The total number of acres of NIPF lands in each State, Territory, and Commonwealth participating in FLEP with a productivity potential greater than or equal to 20 cubic feet per acre per year will receive 20 percent of the available funds.
2. The number of acres of NIPF lands, the number of NIPF land owners and the acres with productivity equal or greater than 20 cubic feet per acre per year are from the current Forest Inventory and Assessment developed by the US Forest Service and approved by the State

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Foresters. The 10 percent number of highly erodable acres is from the current Natural Resource Inventory developed by the USDA Natural Resource Conservation Agency (NRCS) and approved by NRCS State Conservationist and the Forest Service. The 10 percent of agricultural owners is from the current National Agriculture Statistics Survey, approved by USDA.

3. The Director of Cooperative Forestry, Washington Office, shall ensure that all factors used for the allocation of funds are based on objective, reliable, measurable data and include all States, Territories, and Commonwealths participating in FLEP.

3314.2 - National Priorities

1. National priorities for the Forest Land Enhancement Program (FLEP) shall reflect those priorities of the Department and the agency for management of nonindustrial private forest lands, including the following:

- a. To reduce the risk of wildfire;
- b. To increase the overall health of the forests including control of invasive species;
- c. To manage forests for ecosystem sustainability; and
- d. To decrease unmanaged recreation and forest fragmentation.

2. Responsible Officials on each of the three geographic funding areas shall coordinate with their respective State Foresters to determine allocations to States based on the national priorities, Regional and State-wide priorities, and the ability of the State to deliver FLEP.